

ITW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Brenda Grant	
Serial	:	10/772,477	
Filed	:	November 25, 2003	Art Unit: 1744
For	:	HEAVEN SCENT	Examiner: M. Spisich
Docket No.	:		

PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I HEREBY CERTIFY THAT THIS PAPER
IS BEING SENT BY U.S. MAIL, FIRST
CLASS, TO THE COMMISSIONER FOR
PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450,
THIS
28th DAY OF November, 2007.
E. E. N.
PATENT ATTORNEY

In response to the Notice of Abandonment mailed on May 14, 2007, please consider the following:

1. An Office Action was mailed on October 12, 2006, and received by the Applicant.
2. On January 5, 2007, Applicant mailed an Amendment (copy enclosed).
3. As evidenced by the return postcard (copy enclosed), the U.S. Patent and Trademark Office received the Amendment on January 9, 2007.
4. The Notice of Abandonment was mailed on May 14, 2007.

The application was held abandoned due to an error of the U.S. Patent and Trademark Office. Applicant respectfully requests that the Notice of Abandonment be withdrawn and that the present application be examined.

Although the serial number on the Amendment was mistyped, all other identifying information including the name of the inventor, title of the application, art unit, and Examiner's name were correctly identified. The Amendment is correctly identified in the IFW system

according to the USPTO. Therefore, the Amendment should have been entered and, Applicant believes that no fee should be required.

CONCLUSION

In conclusion, it is believed that the present application is in condition for allowance. Reconsideration and allowance of claims 1 – 4 are respectfully requested.

Respectfully submitted,

BRENDA GRANT

By: 

Emery L. Tracy, Reg. No. 34,081

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Boulder, Colorado 80306

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Applicant: **Brenda Grant**

Title: **HEAVEN SCENT**

Serial No.: **10/722,474**

Filing Date: **November 25, 2003**

Please date stamp and return to acknowledge your receipt of the following documents filed on January 5, 2007, including:

X Amendment (6 pages) with Certificate of Mailing

Applicant: **Brenda Grant**

Title: **HEAVEN SCENT**

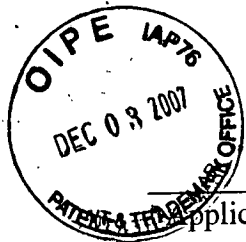
Serial No.: **10/722,474**

Filing Date: **November 25, 2003**



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X Amendment (6 pages) with Certificate of Mailing



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Brenda Grant	
Serial	: 10/722,474	
Filing Date	: November 25, 2003	Art Unit: 1744
For	: HEAVEN SCENT	Examiner: M. Spisich
Docket No.	:	

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I HEREBY CERTIFY THAT THESE PAPERS
ARE BEING SENT BY U.S. MAIL, FIRST
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PATENTS, P.O. BOX 1450,
ALEXANDRIA, VIRGINIA 22313-1450,
THIS

5th DAY OF January, 2007.
2252
PATENT ATTORNEY

Sir:

In response to the Office Action mailed on October 12, 2006, please amend the above-identified application as follows:

SPECIFICATION

Page 1, before line 1, please insert the following:

The present application claims benefit of priority of pending provisional patent application Serial No. 60/428,769, filed on November 25, 2002.

Page 6, line 2:

~~Priority is hereby claimed to application 60/428,769, filed on 11/25/02.~~

CLAIMS

Claim 1 (currently amended): A cleaning pad ~~having two sides, a front side and a rear side, the cleaning pad~~ comprising:

- (a) an amount of soft woven fabric ~~attached to the front side of the cleaning pad,~~
- (b) a plurality of scrubbing fibers attached to the soft woven fabric rear side of the cleaning pad, the scrubbing fibers being arranged in horizontal rows defining spaces of soft woven fabric between the rows, the width of each horizontal row of scrubbing fibers being substantially equal to the width of each of the defined spaces of the soft woven fabric, and
- (e) a volume of antibacterial solution incorporated within the cleaning pad,
wherein a plurality of cleaning pads are storable in a container such that by removing a cleaning pad from the container causes a next cleaning pad to be slightly pulled from the container.

Claim 2 (currently amended): A cleaning pad according to claim 1 wherein the cleaning pad is square-shaped, and further wherein the cleaning pad has an eighteen inch side length and has a thickness ~~diameter~~ of one-sixteenth of an inch.

Claim 3 (currently amended): A cleaning pad according to claim 1 ~~2~~ wherein the cleaning pad further comprises an incorporated scent indoctrinated within the cleaning pad.

Claim 4 (currently amended): A cleaning pad according to claim 1 ~~3~~ wherein the cleaning pad further comprises an incorporated citrus scent indoctrinated within the cleaning pad.

REMARKS

In the Office Action, the Examiner rejected claims 1 – 4. With this Amendment, Applicant has amended claims 1 – 4. The application still includes claims 1 – 4.

PRIORITY

In the Office Action, the Examiner stated that priority claims must be at the beginning of the first page of the specification. With this Amendment, Applicant has amended the specification in accordance with the Examiner's instructions.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 1 – 4 under 35 U.S.C. § 112, second paragraph, as being indefinite. With this Amendment, Applicant has amended the claims in accordance with the Examiner's instructions. Therefore, it is respectfully requested that the rejection of claims 1 – 4 under 35 U.S.C. § 112, second paragraph, be withdrawn and that claims 1 – 4 be held allowable.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

Claims 1 and 2

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over the Walker patent in view of the McCue et al patent.

With this Amendment, Applicant has amended the present application to better define the present invention. In particular, Applicant has amended claims 1 to claim a plurality of scrubbing fibers attached to the soft woven fabric with the scrubbing fibers being arranged in horizontal rows defining spaces of soft woven fabric between the rows and the width of each horizontal row of scrubbing fibers being substantially equal to the width of each of the defined spaces of the soft woven fabric.

None of the references cited by the Examiner either teach or suggest a cleaning pad, as claimed in the present application. The Walker patent merely describes a cleaning and washing cloth having cloth layer 10 and a mesh layer 11. The layers 10, 11 are on opposite sides of the

cloth of the Walker patent. The Walker patent fails to teach or suggest the mesh being arranged in horizontal rows defining spaces of fabric between the rows. By providing the spaces, as claimed in the present application, the user of the cleaning pad of the present invention enjoys the benefits of the scrubbing fibers in conjunction with the antibacterial solution present in the fabric. In fact, with the defined spaces and the horizontal rows, two different methods of scrubbing are present without having to reverse the cleaning pad. This is further enhanced by the fact that the width of the horizontal rows are substantially equal to the width of the spaces.

Applicant submits that the McCue et al patent adds nothing to the Walker patent to render the claims of the present application obvious.

Therefore, since neither the Walker nor the McCue et al patent either teach or suggest the cleaning pad as claimed in the present application, it is respectfully requested that the rejection of claims 1 and 2 under 35 U.S.C. § 103(a) be withdrawn and that claims 1 and 2 be held allowable.

Claims 3 and 4

In the Office Action, the Examiner rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over the references cited above, and further in view of the Valente patent.

Claims 3 and 4 depend from claim 1. Since Applicant believes that claim 1 is allowable, it follows that claims 3 and 4 are also allowable. Therefore, since neither the Walker patent, the McCue et al patent, nor the Valente patent either teach or suggest the cleaning pad as claimed in the present application, it is respectfully requested that the rejection of claims 3 and 4 under 35 U.S.C. § 103(a) be withdrawn and that claims 3 and 4 be held allowable.

Claims 1 – 4

In the Office Action, the Examiner rejected claims 1 – 4 under 35 U.S.C. § 103(a) as being unpatentable over the Jones patent in view of the Valente patent.

With this Amendment, Applicant has amended the present application to better define the present invention. In particular, Applicant has amended claims 1 to claim wherein a plurality of cleaning pads are storable in a container such that by removing a cleaning pad from the container causes a next cleaning pad to be slightly pulled from the container.

None of the references cited by the Examiner either teach or suggest a cleaning pad, as claimed in the present application. The Jones patent merely describes an absorbant cloth with agitating feature. Nothing in the Jones patent teaches or suggests that the cloth can be stored in and dispensed from a container as claimed in the present application. In fact, Applicant submits that with the thickness as illustrated and the rough area 14 as described, the cloth of the Jones patent can not be stored or dispensed as claimed.

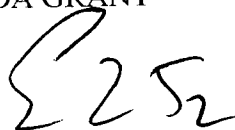
Therefore, since neither the Jones patent nor the Valente patent either teach or suggest the cleaning pad as claimed in the present application, it is respectfully requested that the rejection of claims 1 – 4 under 35 U.S.C. § 103(a) be withdrawn and that claims 1 – 4 be held allowable.

CONCLUSION

It is believed that the present application is in condition for allowance. Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

BRENDA GRANT



By: _____

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